

STATE OF NEW JERSEY
Office of the Attorney General
Department of Law and Public Safety
Division of Gaming Enforcement

**Petition of Harry's Oyster Bar, LLC d/b/a Harry's)
Oyster Bar, for a Consumer Alcoholic Beverage)
Tasting Permit Pursuant to *N.J.A.C.* 13:69I-5.3)
"Do AC Boardwalk Wine Promenade")
(May 4 and 5, 2013))**

**ORDER
PRN 1121302**

By Petition (PRN 1121302) to the Division of Gaming Enforcement ("Division"), Harry's Oyster Bar, LLC d/b/a Harry's Oyster Bar ("Harry's Oyster Bar"), requests the issuance of a Consumer Alcoholic Beverage Tasting Permit, pursuant to *N.J.A.C.* 13:69I-5.3, in order to participate in a two-day wine tasting festival ("Do AC Boardwalk Wine Promenade") on May 4 and 5, 2013 from 12:00 p.m. until 5:00 p.m. each day. Harry's Oyster Bar, a Casino Hotel Alcoholic Beverage ("CHAB") licensee located at Bally's Atlantic City Hotel and Casino, intends to conduct its wine tasting event on its premises located outside immediately adjacent to the Atlantic City boardwalk in front of its courtyard in conjunction with the "Do AC Boardwalk Wine Promenade," an event organized by the Atlantic City Alliance, a non-profit corporation, to celebrate the Atlantic City Boardwalk in an outdoor wine festival that will showcase wines at seven (7) destinations along the Boardwalk. Participants of the wine tasting festival who purchase a ticket will be able to sample a broad spectrum of wines at the seven (7) boardwalk locations, in addition to signature food offerings from Atlantic City restaurants to be paired with the wines.

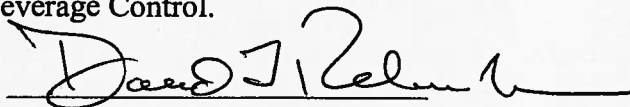
Harry's Oyster Bar represented that its wine tasting program will include educational information on each of the wines being served and that each sampling will constitute one and one-half (1.5) ounces of wine per tasting.

Having considered the relevant provisions of the Casino Control Act, *N.J.S.A. 5:12-1 et seq.*,
I hereby ORDER that the Petition be granted and a Consumer Alcoholic Beverage Tasting Permit
(2013-075-TS) be issued to Harry's Oyster Bar authorizing its participation in the Tasting Event:

This approval is subject to the following conditions:

1. No one under 21 years of age will be permitted to purchase or receive an admission ticket to the Tasting Event, and no member of the public under 21 years of age will be permitted to participate in the Tasting Event.
2. Only Harry's Oyster Bar's alcoholic beverage stock may be used for its participation in the Tasting Event and may only be served by Harry's Oyster Bar's CHAB employees.
3. Harry's Oyster Bar, through its CHAB employees and pursuant to the procedures stated in its Petition, will insure that participants of the Tasting Event will receive no more than one and one-half (1.5) ounces for each sample distributed of any one (1) brand of wine in accordance with *N.J.A.C. 13:69I-5.3(a)3ii*.
4. CHAB employees serving to the participants of the Tasting Event, who are all trained to prevent service to underage individuals and to over service, will assess each participant requesting a sample to insure against and that such beverages are not served to individuals who are under the age of 21 or who are actually or apparently intoxicated.
5. Harry's Oyster Bar will conduct the Tasting Event in accordance with the descriptions and representations contained in PRN 1121302.
6. All alcoholic beverages dispensed at the event must be by the glass or other open receptacle. The alcoholic beverages are to be consumed only within the Harry's Oyster Bar premises. Participants at the event shall not remove any alcoholic beverages from the approved area for any reason.
7. Petitioners are to notify the Division of any material change to the Tasting Event.
8. Harry's Oyster Bar must obtain all necessary approvals from all other governmental authorities prior to conducting this event.
9. Harry's Oyster Bar will comply with all requirements attendant to Type II CHAB authorization, pursuant to *N.J.S.A. 5:12-103g(2)*, with all requirements attendant to alcoholic beverage tastings in accordance with Division regulation *N.J.A.C. 13:69I-5.3*, and with all other applicable alcoholic beverage laws and regulations of the Division and, as deemed applicable, the New Jersey Division of Alcoholic Beverage Control.

Dated: April 23, 2013


DAVID L. REBUCK
DIRECTOR